

# **BUTTE-SILVER BOW LOCAL GOVERNMENT**

## **STUDY COMMISSION**

### **Minutes of the Meeting**

**April 14, 2005**

**Butte-Silver Bow Courthouse, Council Chambers**

1. **Call to Order** - Chairman Bob Worley brought the meeting to order at 5:35 p.m.
2. **Roll Call of Members** - Chairman Bob Worley proceeded with the roll call.

**Members Present:** Bob Worley, Tony Bonney, Ristene Hall, Shag Miller, Dave Palmer, Meg Sharp, Cindi Shaw, Northey Tretheway, and Ron Rowling

**Excused Absence:** Wayne Harper

**Others Present:** Jeff Miller, Butte-Silver Bow Fire Department-Speaker; Danette Harrington, Butte-Silver Bow Auditor; Lori Maloney, Butte-Silver Bow Clerk of Court; Mike Leary, Terra Verde Volunteer Fire Department; Jason Willoughby, Race Track Volunteer Fire Department; Eric Kneebone, Little Basin Creek Volunteer Fire Department; and Mike Doto, Centerville Volunteer Fire Department

3. **Approval of Minutes – April 7, 2005** - A motion was made by Tony Bonney and seconded by Dave Palmer to approve the minutes from the April 7, 2005, meeting. The motion carried unanimously.
4. **Comments from Ron Rowling, Study Commission Liaison** - Ron Rowling reported that he spoke with Bill Johnson, Chairman of the Anaconda Study Commission. The Anaconda Study Commission's next meeting is scheduled for May 2, 2005, at 6:30 p.m. and it is their first public meeting. Bill Johnson told Ron that if it can be arranged, he would be happy to sit down with some of the members from the Butte-Silver Bow Study Commission prior to their meeting on May 2, 2005, to discuss things. The phone number to contact Bill Johnson is 563-6925. Bob Worley, Chairman, stated that at the last Butte-Silver Bow Study Commission meeting it was discussed about the possibility of getting together with the Anaconda Study Commission. They seem to be having problems with their government. Bob told the Study Commission that they will visit later and see if there are some members that would want to go over to Anaconda and visit with them.
5. **Citizen Comments** - There were no comments from citizens.

**6. Items Not Addressed on Agenda**

- Shag Miller reported that Meg Sharp and he made a presentation to the Butte Rotary Club today at noon and it lasted about 35 minutes. They covered what the Butte-Silver Bow Study Commission had done up-to-date. There was a question and answer session and Shag did informally use some of the questions that Dave Palmer put together for the survey. One of the questions was on partisan or nonpartisan elections and it was overwhelmingly 33 to 0 in favor of maintaining the nonpartisan system. Another question was the appointed officials serving at the pleasure of the Chief Executive. Shag stated as Bob McCarthy, County Attorney, has pointed out there are two cases where that kind of overrides that and I told them that we cannot make any judgment or plan until we get the court opinion which Shag asked Bob McCarthy, County Attorney, which he understands is in federal court and we could have it in about a year.

Bob McCarthy replied that he agreed with part of Shag Miller's statement but he was not sure about the other. Bob stated that, yes, it is in federal court and no, Bob does not know if it will be within a year. Bob's understanding is that they are going to move to certify the question to the Montana Supreme Court which means that is sort of like asking for an advisory opinion in the middle of the case. Bob thinks that there will be an answer on the certified question as to how the Montana Supreme Court would interpret the question within a year. Bob does not think the lawsuits will be resolved within a year.

Shag Miller asked the question if the Council of Commissioners can amend the Charter. Bob McCarthy answered, no, only the voters can amend the Charter.

- Northey Tretheway reported to the Study Commission that Linda Sajor-Joyce wants to give a presentation and was asking if Ron Rowling could set it up with her. Linda said that she would be ready about the middle of this month for the presentation.
- Chairman Bob Worley had another item that was not addressed on the agenda. Bob Worley was asked to address a letter to Bob McCarthy, County Attorney, regarding the Study Commission's need for legal opinion on Charter language changes. Bob Worley read the letter to the Study Commission (letter attached to these minutes for reference). The letter is asking if the Study Commission can make minor edits to the language of the Charter as long as the language change does not alter any structure of the existing government. Bob McCarthy answered that the Study Commission cannot change one word of the Charter without the voters' approval. Bob McCarthy stated that the Study Commission has the authority to make recommendations to amend the Charter. The Study Commission does not have any power dealing with the ongoing operation of the local government, the Study Commissions' authority exclusively deals with the form of the government.
- Bob Worley asked the Study Commission to go over the budget for the 2005-2006 budget year and make recommendations of where we might spend money so we do not have to do a lot of budget transfers through the year. The Study Commission is authorized to

spend up to 1 mil in their budget which is \$39,000.00. The budget will be discussed next week at the next Study Commission meeting.

**7. Guest Speaker - Jeff Miller – Butte-Silver Bow Fire Department**

Chairman Bob Worley introduced Jeff Miller, Butte-Silver Bow Fire Department-Director of Fire Services.

Jeff Miller thanked the Study Commission for inviting him to speak before them. Jeff explained the information packet that he provided to the Study Commission (information packet is attached to these minutes for reference) as follows.

The first section is basic information about the Butte-Silver Bow Fire Department and its operations – some of the programs and some of the challenges that they face and some of the goals that they hope to achieve.

The second document is a Preliminary Proposal to consolidating four of the local Volunteer Fire Departments into two and in addition to that, purchasing an aerial apparatus and a training facility. All of these purchases, if they were approved, would have to be conducted through a general obligation bond issue that would have to be voted upon and approved by the voters. It would be sometime in the future; this is still in the very early stages of this proposal.

The third document is some recommendations from the Fire Department of potential proposed changes in the Charter that Jeff would like the Study Commission to take a look at as it affects the Fire Department.

Jeff Miller went over the first document with the Study Commission. The first document contained the Mission Statement of the Butte-Silver Bow Fire Department. It also contained Department facts of the operation of the Fire Department. The Butte-Silver Bow Fire Department protects 718.31 square miles. The total amount of the operating budget is \$715,771.00. The Fire Department budget is actually two budgets, one is the Fire Fund Budget and then the second part is the Emergency Services Budget which was voter approved. The Butte-Silver Bow Fire Department is comprised of a 32-member career paid firefighting force and we are supported by nine local Volunteer Fire Departments. The Fire Department has three preventive programs currently going on right now and they are installing smoke alarms at no cost, the Child Safety Restraint Program, and the Fire Safety Puppet Show.

The Advisory Committee is currently embarking upon a plan to consolidate four Volunteer Fire Departments into two. These plans would need to be funded through a voter approved general obligation bond issue at some point in the future.

Jeff Miller explained the Insurance Services Office (ISO). It is an arm of insurance companies within the United States and they provide a service by going out to municipalities and studying their fire protection system. After they complete a very

comprehensive study of the entire fire protection system, they study the fire equipment itself; they study the water system, the personnel, and the staffing. After they complete their study, they come back and they issue a numerical Population Protection Classification and that is 1 thru 10 -- 1 being the very best Population Protection Classification that you can have and 10 being the very worst. At this time, the last ISO survey that was conducted in Butte was in July of 1998 and that classification reading was 5. Which Jeff stated is not a bad rating. Some of the deficiencies that were found in the report that Butte did not get credit for were the aerial apparatus. The second area was the lack of an approved training facility. So what we did with this proposal was that we sat down and talked about the consolidation of the four departments in addition with the acquisition of a new aerial apparatus and a new approved training facility that would be utilized by both paid or career firefighters as well as the volunteers within the community.

The ultimate goal is to keep the public safe and to keep our firefighters safer, streamline our operations. The secondary goal is to lower our Population Protection Classification rating a point. If we were to do that it would directly impact some of the commercial insurance rate payers.

Jeff Miller reported that the last three years, Butte-Silver Bow Fire Departments have been extremely successful in applying for and being awarded Assistance to Firefighters Grants which are administered through the F.E.M.A. and the Office of Domestic Preparedness which is all under the umbrella of Homeland Security. These grant awards have been a tremendous help in properly equipping the firefighters with the gear and apparatus that they need to perform their mission.

Jeff Miller went over recommendations for proposed changes in the Butte-Silver Bow Municipal Code (attached to these minutes for reference) as it pertains to the Fire Department and its operation.

Jeff Miller completed his presentation and asked the Study Commission if they had any questions. Shag Miller asked if the volunteer firefighters receive any compensation. Jeff answered that the only compensation that the volunteer firefighters receive is their workmen's compensation premiums are paid so if they are injured in the line of duty they are covered under the Worker's Compensation Act and the only other compensation that they receive is a life insurance policy through the Butte-Silver Bow Government. Shag Miller asked which four departments are they considering consolidating. Jeff answered that the four departments that have been proposed are the Big Butte Volunteer Fire Department and the Centerville Volunteer Fire Department consolidated into one department and then the Atherton Volunteer Fire Department and the Floral Park Volunteer Fire Department consolidated into one department. Bob Worley asked if volunteers are paid a retirement when they retire and where does that money come from? Mike Doto, Volunteer Firefighter, answered that it comes from the PERS and it is through the insurance companies. The pension right now is \$150.00 a month. Northey Tretheway asked about the ISO rating and how other communities compare to Butte across the State? Jeff answered that most of the major cities across Montana rank at 5, so

Butte is right in there. Northey Tretheway asked what a one point drop would mean for savings in Butte if you go from a 5 to a 4 and then you go from a four to a three. Jeff answered as he understands it, the insurance industry recognizes a one-point drop for commercial rate payers and the drop is substantial. Jeff does not have a percentage point. If you drop two points, from a five to a three, then you would also recognize a reduction for residential rate payers as well as commercial rate payers so everybody would make out. Bob Worley asked how many Volunteer Fire Departments are there right now. Jeff answered that there are nine Volunteer Fire Departments right now and they want to consolidate them to make seven. Cindi Shaw asked if the consolidation will result in reduction of force. Jeff answered no; the consolidation will not have a reduction in force. The main reason for the consolidation is to combine the departments because there are duplicating coverage areas and to reduce the overall long-term cost by replacing two facilities with one. Dave Palmer asked if how well trained the Volunteer Fire Departments are affect the ISO rating. Jeff answered, yes.

Mike Doto spoke for the Volunteer Fire Departments stating that they are at the meeting to see what is going on and let the Study Commission know that they agree with Jeff Miller on a lot of things. It is a concern to the Volunteer Fire Departments what is going to happen to their stations if they move into new ones and their training center. Mike stated that right now the Volunteer Fire Departments have a good working relationship with Jeff Miller.

Bob Worley thanked Jeff Miller for coming before the Study Commission.

8. **Survey Update – Dave Palmer** - Dave Palmer reported that there was no update since the last meeting. Northey Tretheway stated that before they go any further with the survey they need to get Ken Weaver's input on the survey on whether they should continue with it. The Study Commission agreed that they are in favor of the survey. Bob Worley said that he would call Ken Weaver to get him to talk to the Study Commission regarding the survey. Bob Worley will fax the survey to Ken Weaver so he can review it before the Study Commission discusses it with him.
  - At the next meeting on April 21, 2005 the speakers will be Bob Sullivan, Tim Clark, Dan Dennehy, Dan Powers, Rick Larson, and Jed Hoopes. Rob Macioroski will not be able to attend. Paul Babb has been invited to speak before the Study Commission on April 28, 2005.
9. **Date for Next Meeting** – The next meeting will be in the First Floor Conference Room on the first floor of the Courthouse on April 21, 2005 at 5:30 p.m.
10. **Adjourn** – Chairman Bob Worley entertained a motion to adjourn. A motion was made by Northey Tretheway and seconded by Dave Palmer to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:05 p.m.